

General elections in November 2014 were conducted peacefully and declared to be free and fair by observers, with more than 40,000 citizens participating. The Democratic Party of the Friendly Islands won nine seats in the legislature, with independents taking the remainder.

A severe cyclone in January destroyed 800 homes and displaced half the population in several outer islands. Providing relief placed additional pressure on a national budget strained by a slow economic growth and a growing national debt. Tonga hopes to send more seasonal workers to Australia and New Zealand, which brings in \$10 million in remittances annually. Tonga is also dependent on China for loans, investment, and aid. China's Export-Import Bank now owns 60 percent of Tonga's overseas liabilities, and Chinese migrants own more than half of all businesses.

Political Rights and Civil Liberties:

### **Political Rights: 31 / 40 [Key]**

#### **A. Electoral Process: 11 / 12**

Tonga is an electoral democracy. The unicameral Legislative Assembly has 26 members, including 17 popularly elected "people's representatives" and 9 nobles elected by their peers. All members serve four-year terms. The Legislative Assembly elects the prime minister, who is the chief executive.

King Tupou VI, who took office in 2012, controls the armed forces and appoints the chief justice, judges of the court of appeal, and the attorney general.

Of the 17 elected seats in the Legislative Assembly in November 2014, the Democratic Party of the Friendly Islands took nine, while independents took the other 17. 'Akilisi Pohiva, leader of the Democratic Party and a long-time democracy advocate, was elected prime minister in December. Lord Tu'ivakano, the outgoing prime minister, was chosen as House Speaker.

#### **B. Political Pluralism and Participation: 14 / 16**

Political parties are legal. Tonga's 33 titleholders select nine from among themselves to fill the nobles' seats in the Legislative Assembly. Commoners can compete as independents or under a party banner. There are no reserved seats for minorities. Registration and voting is compulsory for all Tongan nationals 21 years and older. While popularly elected representatives hold 17 of 26 seats in parliament, nobles have great influence in Tongan politics and the economy.

#### **C. Functioning of Government: 6 / 12**

Official abuse and corruption are serious problems. In March 2014, a former senior immigration officer was convicted of the attempted forgery of diplomatic passports for two Chinese nationals. Royals, nobles, and their top associates are also alleged to use state assets for personal benefit. The government response

has been limited. The Anti-Corruption Commission has lacked power, resources, and a commissioner since its establishment in 2007. Similarly, the government has never convened the oversight body required to launch a proposed ombudsman's office to investigate complaints against the government.

## **Civil Liberties: 44 / 60**

### **D. Freedom of Expression and Belief: 13 / 16**

The constitution guarantees freedom of the press. Criticisms of the government appear regularly in newspapers, including those wholly or partly owned by the state, but the government and individual leaders have a history of suppressing the media. In 2013, the local newspaper *Kele'a*, its editor, publisher, and the author of a letter to the editor the paper printed were collectively fined \$138,000 in a civil defamation case brought by the prime minister and six cabinet ministers. The letter had alleged that courts allow impunity for certain individuals, and criticized government spending.

Freedom of religion is generally respected, but the government requires all religious references on broadcast media to conform to mainstream Christian beliefs.

There are no government restrictions on academic freedom. Tongan became the sole language of instruction at early levels in 2012; English is introduced at higher levels of education. Children who are non-native Tongan speakers are exempt.

### **E. Associational and Organizational Rights: 8 / 12**

Freedoms of assembly and association are upheld. Nongovernmental organizations appear to enjoy freedom from government intervention. Workers have the right to join unions, but regulations for union formation were never established. There are many professional associations, including for teachers, public servants, and seafarers, but they cannot bargain collectively. In April 2014, bus company owners launched a two-day strike after the government rejected their request for exemption from taxes on diesel fuel and components for buses.

### **F. Rule of Law: 11 / 16**

The judiciary is generally independent, though a shortage of judges has led to significant case backlogs. Nobles increasingly faced scrutiny in society and the courts. To increase judicial independence, the parliament created the Judicial Services Commission to advise the king on appointments of judicial and legal officers. The justice minister, with consent of the cabinet, appoints members of the commission. The attorney general will become the principal legal advisor to the cabinet and the government.

Traditional village elders frequently adjudicate local disputes. Prisons meet minimum international standards. In June 2014, a police constable was convicted of assault of a New Zealand national in police custody in 2012; two other officers were convicted of manslaughter in the same case. Police reform is ongoing. By the end of the year, about 10 percent of the force was dismissed; several officers are under investigation for misconduct and criminal activity.

Colonial-era antisodomy laws remain on the books, but there is little evidence of persecution or discrimination based on gender or sexual preference.

## **G. Personal Autonomy and Individual Rights: 12 / 16**

Women enjoy equal access to education. Several hold senior government positions, but none sit in the parliament. To encourage more women to compete in the November 2014 general elections, 30 women (9 nobles, 17 commoners, and 2 more picked by then Prime Minister Tu'ivakano) were selected for a mock parliamentary session in April in order to learn about legislative protocol, campaigning, and media strategies.

Women cannot own land. Domestic violence is common. The Family Protection Act of 2013 authorizes the police to grant on-the-spot protection orders for up to seven days, and provides counselors to assist victims of domestic violence in court cases. A Women and Children's Crisis Center opened in 2013 to provide counseling, medical care, and police assistance to victims of violence.

Tonga is in Tier 2 in the U.S. State Department's 2014 *Trafficking in Persons Report* for its effort to prevent and prosecute trafficking and to assist victims. Tonga is not a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons.

A dominant Chinese presence in the economy fuels resentment from local businesses and workers; there are a number of migrant laborers from China in Tonga for Chinese-funded projects.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

**[Full Methodology](#)**